

# THE CENTER FOR PUBLIC INTEGRITY

910 17<sup>th</sup> Street NW, 7<sup>th</sup> Floor, Washington, DC 20006

May 2, 2016

Mr. Larry Gottesman  
U.S. Environmental Protection Agency  
% National FOIA Records Officer

Dear Mr. Gottesman,

Pursuant with FOIA, we hereby request machine-readable copies of the records described below from the last **FOUR** years on record, for **all EPA Regions 1-10, as it relates specifically to implementation of the Clean Air Act.**

Please refer to the PDF document attached to this request, an EPA policy document dated December 12, 2013 and titled, ***“National Strategy for Improving Oversight of State Enforcement Performance,”*** for greater detail. The policy document outlines EPA’s “Escalation Approach to Problem-Solving” enforcement issues at the state and regional level.

Specifically, I seek the following:

- “Issue-specific Memoranda of Agreement (MOA) which identifies the problems and corrective actions necessary, and includes milestones and schedules” between EPA regions and state/local enforcement agencies. EPA policy dictates these MOA are utilized “by a few regions” to document “outstanding issues” and are typically signed by EPA Regional Administrator/Deputy Regional Administrator and State Commissioner Level and “address consequences of non-performance.” *(See pg. 5-6, under “Tier 2: Elevate problem-resolution to higher levels of management and document the path to resolution”)*
- Written plans, updated annually, and maintained by each EPA region as part of efforts to address “identified significant state performance issues.” EPA policy dictates the plans are part of annual OECA/Regional Meetings and provide “identification of the issues (based on objective and comparable data whenever possible and by media if appropriate), corrective measures being taken or envisioned, and the associated timelines. These plans should be discussed with the states...regions and OECA should monitor progress under these plans and work with states to ensure state program improvements.” *(See pg. 6-7, under “Plans for Addressing Significant Performance Issues”)*

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Whenever possible, please provide all records in machine-readable format such as, but not limited to:

- (1) comma-separated values, Excel and other delimited data files (e.g. .csv, .xls)
- (2) text or word processing files (e.g. .txt, .doc, .docx)
- (3) machine-readable PDFs

Please provide all documentation necessary to properly and accurately review the records, including data dictionaries, code sheets, record layouts, etc.

***We ask that you provide records on a ROLLING basis to speed up the overall processing of this request.***

If any portion of any record is withheld, please release all other segregable parts and specify in writing the relevant statutory exemption(s) claimed. Additionally, please describe each record withheld, including its date and size (e.g. amount of electronic memory or number of paper pages).

If my request is denied in its entirety, please specify the statutory reason(s) for denial, along with information on the appeals process and appropriate contact information to which an appeal should be addressed to.

If total fees are projected to exceed \$25, inform me before you fill the request.

To the extent permitted under the open records law, we request that you waive or reduce any search, review, or duplication fees that might apply. The Center for Public Integrity is a nonprofit news media organization and release of the requested information will inform the public and serve the public interest.

Please feel free to contact me about any aspect of this request. In principle, the Center is willing to consider ways in which the request might reasonably be narrowed.

Thank you in advance for your diligence and compliance with FOIA.

Best regards,

Jie Jenny Zou

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